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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,955	01/14/2004	Sang-Yoon Jung	678-1206	5078
66547	7590	07/16/2007	EXAMINER	
THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553			TRAN, DALENA	
			ART UNIT	PAPER NUMBER
			3661	
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			07/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10757955	1/14/04	JUNG ET AL.	678-1206

THE FARRELL LAW FIRM, P.C.
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EXAMINER

Dalena Tran

ART UNIT	PAPER
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3661

20070703

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Office Action Summary	Application No. 10/757,955	Applicant(s) JUNG ET AL.	
	Examiner Dalena Tran	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/30/07</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Notice to Applicant(s)

1. This office action is responsive to the amendment filed on 4/12/07. As per request, claims 1, and 16 have been amended. Claim 15 has been cancelled. Thus, claims 1-14, and 16-23 are pending.

The prior art submitted on 4/30/07 have been considered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-14, and 16-23, are rejected under 35 U.S.C. 102(b) as being anticipated by Straub (6675085).

As per claims 1, and 16, Kinoshita et al. disclose a warning generating apparatus for generating a warning in a navigation system, the apparatus comprising: a data receiving unit for receiving route guidance information data and outputting the route guidance information data (see column 7, lines 10-67); a data analyzing unit for determining whether warning data has been included in the route guidance information data outputted from the data receiving unit (see column 2, lines 13-43; columns 3-4, lines 25-24; and columns 8-9, lines 61-39); a sensor for sensing a current travel speed of a movable body (see columns 2-3, lines 44-17; and columns 9-11, lines 40-24); a restricted warning generating unit for receiving the route guidance information data from the data analyzing unit if the route guidance information data includes the

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warning data, for receiving the current travel speed from the sensor, and for determining whether the restricted warning generating unit will output a warning for the warning data based on warning generation conditions stored in advance according to a kind of the warning data (see columns 3-4, lines 24-24; and columns 9-11, lines 40-24); and a warning/guidance output unit for outputting the warning corresponding to the warning data that is included in road guidance information data, when the restricted warning generating unit determines to output the warning unit (see columns 2-3, lines 44-17; and columns 6-7, lines 15-9).

As per claims 2-3, and 17-18, Straub discloses the data receiving section receives route guidance information data further includes current weather information, current time information (see columns 3-4, lines 24-24).

As per claims 4, and 19, Straub discloses the data receiving unit receives the route guidance information data which further includes a regulation speed and road information representing danger information (see columns 3-4, lines 24-24; and columns 8-9, lines 1-12).

As per claims 5, and 20, Straub discloses the sensor further includes a speed sensor which is installed on a predetermined position of the movable body and which senses the travel speed of the movable body (see columns 2-3, lines 44-17; column 4, lines 41-59; and columns 6-7, lines 16-9).

As per claims 6, and 21, Straub discloses the sensor receives the travel speed of the movable body from a speed sensor which is installed on a predetermined position of the movable body and which senses the travel speed of the movable body (see the abstract).

As per claims 7, and 22, Straub also discloses the restricted warning generating unit further determines actual travel environment information of the movable body, checks the kind

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of the warning data transmitted from the data analyzing unit (see columns 5-6, lines 11-14), receives route guidance information data having current time/weather information from the data receiving unit and receives the current travel speed of the movable body from the sensor (see columns 3-4, lines 24-24), compares warning generation conditions corresponding to the checked kind of the warning data with the actual travel environment information (see columns 6-7, lines 15-9), determines to output a warning only when the actual travel environment information satisfies the warning generation conditions corresponding to the warning data, and outputs the warning information to the warning/guidance output unit if it is determined to output a warning (see columns 2-3, lines 44-17).

As per claims 8, and 23, Straub discloses when the route guidance information data does not include warning data when the route guidance information data is transmitted from the data analyzing unit, the warning/guidance output unit general path guidance information based on the route guidance information data (see columns 10-11, lines 66-24).

Claims 9, and 12, are method claims corresponding to apparatus claims 1, and 4 above. Therefore, they are rejected for the same rationales set forth as above.

Claims 10-11, and 13-14, are method claims corresponding to apparatus claims 2-3, and 7 above. Therefore, they are rejected for the same rationales set forth as above.

Remarks

4. Applicant's argument filed on 4/12/07 has been fully considered. Upon updated search, the new ground of rejection has been set forth as above.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The examiner can normally be reached on M-F 6:30 AM-4:00 PM), off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patent Examiner
Dalena Tran



July 4, 2007